

# **FISCAL MEMORANDUM**

## **SB 3439 – HB 3661**

April 16, 2008

**SUMMARY OF AMENDMENT (016981):** Deletes the original bill in its entirety. Requires the Department of Safety (DOS) to create and maintain a repeat DUI registry of persons convicted of two or more DUI violations, if at least one such violation occurred on or after January 1, 2009, and such person's license was revoked or suspended. Requires registry to be available to the public on the websites of the DOS and the Tennessee Bureau of Investigation (TBI) and shall include information regarding when a DUI offender is eligible to receive a restricted license and the purpose for which such license was issued. Requires registry to contain name, address, number, dates, county and state of DUI convictions, photograph, and other relevant data. Requires DOS to remove person from registry within 45 days of reinstatement of the person's drivers' license. In addition to any other fine, fee or penalty, assesses a DUI offender registry fee of \$15 on any person convicted of a second or subsequent DUI violation or any offense in which DUI is an essential element of the offense. Such fee shall be transmitted to the state general fund for appropriation to the DOS to implement and administer the DUI offender registry.

### **FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures - \$143,500/One-Time  
\$19,200/Recurring

Increase Local Expenditures\* - \$75,000/One-Time  
Exceeds \$4,088,300/Recurring

### **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Increase State Revenue - \$114,000**  
**Increase State Expenditures – \$35,200/One-Time**  
**\$94,400/Recurring**


**Increase Local Revenue – \$6,000**  
**Increase Local Expenditures – Not Significant**

Assumptions applied to amendment:

- The DOS would need one additional web developer position to develop the application needed to present the data on the website in a usable format and maintain the registry. Approximately 400 hours of service for an analyst to develop the data extraction report to pull DUI conviction information from the Driver License History System. The DUI data and photographs required for the registry could be extracted from the Department's existing data systems with additional software and services leases from the Office for Information Resources (OIR).
- One-time state expenditures of \$35,200 include office landscaping, computer equipment, software licenses, and other related expenses. Recurring state expenditures of \$94,401 include salary (\$56,169) plus benefits (\$20,405) for a web developer position, office space, telephones, supplies and other related operating expenses.
- Any cost associated with creating a link between the TBI and the DOS repeat DUI offender registry can be accommodated within existing TBI resources.
- According to DOS, there are approximately 8,000 second or subsequent convictions of DUI or any offense in which DUI is an essential element of the offense. At \$15 per conviction, an estimated \$120,000 ( $\$15 \times 8,000$ ). Of that amount, the court clerks receive a five percent fee for collection ( $\$120,000 \times 5\% = \$6,000$ ). The remaining \$114,000 would be state revenue.
- Any additional cost to the local governments to collect the additional DUI fine is estimated to be not significant.

## **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/lsc